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Attorneys for Plaintiffs

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JOHN ARMSTRONG, et al.,

Plaintiffs,

vs.

GRAY DAVIS, et al.,

Defendants

) Case No. C94 2307 CW

) **ORDER CONFIRMING UNDISPUTED**
) **CALIFORNIA DEPARTMENT OF**
) **CORRECTIONS AND REHABILITATION,**
) **ADULT OPERATIONS AND ADULT**
) **PROGRAMS ATTORNEYS' FEES AND**
) **COSTS ON THE THIRD QUARTERLY**
) **STATEMENT OF 2008**

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JOHN ARMSTRONG, et al.,)	Case No. C 94 2307 CW
)	
Plaintiffs,)	ORDER CONFIRMING UNDISPUTED
)	CALIFORNIA DEPARTMENT OF
v.)	CORRECTIONS AND REHABILITATION,
)	ADULT OPERATIONS AND ADULT
ARNOLD SCHWARZENEGGER, et al.,)	PROGRAMS ATTORNEYS' FEES AND
)	COSTS ON THE THIRD QUARTERLY
Defendants.)	STATEMENT OF 2008

On March 26, 1997, the District Court established procedures by which plaintiffs are to collect periodic attorneys' fees and costs in this case in connection with their work monitoring defendants' compliance with the Court's Orders and collecting fees.

Pursuant to these procedures, plaintiffs delivered by overnight delivery their Third Quarterly Statement for 2008 to defendants on November 6, 2008. Defendants submitted their objections to plaintiffs' statement on December 16, 2008. The parties completed their meet and confer on January 8, 2009, and reached an agreement, as reflected in Exhibit A.

Defendants do not dispute the balance of \$672,219.54 in fees and expenses for monitoring and fee collection activities in the California Department of Corrections and Rehabilitation, Adult Operations and Adult Programs (hereafter CDCR/AOAP)¹ portion of the case for the Third Quarterly Statement for 2008, which will become due and owing forty-five days from the entry of this Order.

¹ The former California Department of Corrections (CDC) was part of a state government reorganization in July 2005, and is now known as California Department of Corrections and Rehabilitation, Adult Operations and Adult Programs (CDCR/AOAP).

1 The parties agree to the total payment of \$672,219.54 in undisputed fees and costs for the
2 Third Quarter of 2008. Attached hereto as Exhibit A is a chart setting forth the balance due.

3 IT IS HEREBY ORDERED that plaintiffs' fees and costs of \$672,219.54, plus interest, are
4 due and collectable as of forty-five days from the date of entry of this Order. Interest on these fees
5 and costs will run from December 8, 2008 accruing at the rate provided by 28 U.S.C. §1961.

6 IT IS SO ORDERED.

7
8 DATED: 1/12/09



THE HONORABLE CLAUDIA WILKEN
UNITED STATES DISTRICT JUDGE

10
11 APPROVED AS TO FORM:

12
13 /s/ Jay C. Russell

DATED: 1/9/09

14 Jay C. Russell
15 Deputy Attorney General
16 Attorney for Defendants

17 /s/ Gay Crosthwait Grunfeld

DATED: 1/8/09

18 Gay Crosthwait Grunfeld
19 Rosen, Bien & Galvan, LLP
20 Attorneys for Plaintiffs
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